

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

TRENDS INVESTMENTS, INC.,
BRANDON ROSSETTI, CLINTON
GREYLING, LESLIE GREYLING,
ROGER BENDELAC, and THOMAS
CAPELLINI

Defendants.

Civil Action No. 22-CV-10889-
RGS

JURY TRIAL DEMANDED

PLAINTIFF'S MOTION FOR ENTRY OF DEFAULT AS TO
DEFENDANT BRANDON ROSSETTI

Pursuant to Fed. R. Civ. P. 55, plaintiff Securities and Exchange Commission ("the Commission") hereby moves for entry of default as to defendant Brandon Rossetti ("Rossetti").

On August 29, 2022, pursuant to the Commission's motion, the Court issued an order authorizing service upon Rossetti by publication in the Portland Press Herald for three consecutive weeks and emailing the summons and complaint to Rossetti's last known email addresses. (Dkt. No. 27 (Order for Service by Publication and Email).) The order also extended the time for completion of service until November 7, 2022 and provided Rossetti thirty-five (35) days after the first notice was published to answer the complaint or file responsive pleadings. (*Id.*)

On September 12, 2022, the Commission served Rossetti by email with the Court's order, the summons, the complaint, and a link to the legal notice. (Dkt. No. 42 ¶ 4 (Declaration of Service).) It appeared that one of the two email addresses for Rossetti (brandonrossetti7@gmail.com) was no longer working, as the SEC received bounce-back messages stating that the account was "over quota and inactive." (*Id.*) However, the SEC did

not receive similar bounce-back messages from emails sent to the second email address sent to the second email address (rossettiventurecapital@gmail.com). (*Id.*)

On September 10, 17, and 24, 2022, the *Portland Press Herald* published notice of this case. (*See id.* ¶ 3; Ex. A (copies of notices); Ex. B (Declaration of Publication).)

The first legal notice was published on September 10, 2022, and the thirty-five (35) day period order by the Court for Rossetti to file an answer or responsive pleadings fell on Saturday, October 15, 2022. (*See id.* ¶ 3.) Accordingly Rossetti's answer was due on Monday, October 17, 2022. (*See id.*) Rossetti has not filed an answer or a notice of appearance, and no counsel has appeared on Rossetti's behalf or contacted the undersigned on Rossetti's behalf.

The Commission requests that a default be entered by the clerk as to Rossetti. Upon the clerk's entry of default, the Commission will move the Court for a default judgment against him pursuant to Fed. R. Civ. P. 55(b)(2).

Respectfully submitted,

SECURITIES AND EXCHANGE COMMISSION
By its attorneys,

/s/ David M. Scheffler
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Dated: March 9, 2023

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(A)(2)

The undersigned was unable to confer with defendant Rossetti because his whereabouts are unknown and I have been unsuccessful in my attempts to contact him.

/s/ David M. Scheffler
David M. Scheffler

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed through the Court's CM/ECF system, and accordingly, the document will be sent electronically to all participants registered to receive electronic notice in this case. The undersigned was unable to serve defendant Rossetti because his whereabouts are unknown and I have been unsuccessful in my attempts to contact him.

/s/ David M. Scheffler
David M. Scheffler